(d) if so, the details of the decision taken by the Committee; and

(e) to what extent her Ministry has acted against the surrogate advertisements?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRIMATI SUSHMA SWARAJ) : (a) to (e) Yes, Sir. The Government has constituted a Committee under Section 20 of the Cable Television Network (Regulation) Act 1995 to take cognisance *suo moto* or look into specific complaints regarding violation of the Advertising Code as defined in Rule 7 of the Cable Television Network Rules 1994, which may arise out of the ban on advertisements, which promote directly or indirectly production, sale or consumption of cigarettes, alcohol etc. and recommend action as deemed necessary in accordance with the provisions of the Act.

On the recommendations of the Committee, show cause notices were issued to four channels, for telecasting surrogate advertisements of liquor products and violating the provisions of Rules 7(2)(viii) of the Advertising Code of the Cable Television Networks Rules, 1994. These channels have since sent their replies and confirmed that they had stopped the concerned advertisements, till the matter is further examined. At its second meeting, the Committee has decided to issue show cause notices to channels displaying eight advertisements, which *prima facie*, appear to violate the Advertising Code.

Guidelines on objectionable advertisements and publications

†1996. SHRI RAJIV RANJAN SINGH 'LALAN':
SHRI KAPIL SIBAL:

Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) whether Government have evolved any system to stop the broadcasting of objectionable advertisements and publications in the country;

(b) if so, whether any guidelines have also been issued to identify such objectionable advertisements, publications and broadcasts; and

†Original notice of the question was received in Hindi.

(c) if so, the details thereof and since when these guidelines are in effect?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRIMATI SUSHMA SWARAJ): (a) and (b) Prasar Bharati has Programme and Advertisement Codes, which *inter-alia*, do not permit telecast/broadcast of any objectionable advertisements. Doordarshan and All India Radio strictly abide by these Codes while telecasting/broadcasting programmes.

To look into the reported violations of the said Programme Code and Advertising Code, the Government has constituted two committees under section 20 of the Cable Television Networks (Regulation) Act, 1995:

(i) An Inter-Ministerial Committee, consisting of officers from the Ministries of Information and Broadcasting, Home Affairs, External Affairs, Defence and Law to render advice on the violation of Programme Code; and

(ii) A Committee consisting of officers from the Ministries of Information and Broadcasting, Women and Child Development, Health and Law and a representative from the Advertising Standards Council of India, to look into the violations of Advertising Code including cases of surrogate advertising.

Government does not interfere in the internal functioning of the Press. However, the Press Council of India, a self-regulatory body for Press, has been established for the purposes of preserving the freedom of the Press and maintaining and improving the standards of newspapers and news agencies and to inculcate principles of self-regulation among the Press. Press Council of India has issued guidelines *viz.* Norms of Journalistic Conduct for newspapers and news agencies and journalists in accordance with high professional standards.

(c) Details are at Statements I and II.

Statement-I

The salient features and advertisements code followed by All India Radio and Doordarshan and prescribed under Cable Television Networks (Regulation) Act, 1995 are as follows:—

1. Advertising shall be so designed as to conform to the laws of the country and should not offend morality, decency and religious susceptibilities of the people.

2. No advertisement shall be permitted which—

   (i) Derides any race, caste, colour, creed and nationality;

(ii) is against any of the directive principles, or any other provision of the Constitution of India;

(iii) tends to incite people to crime, cause disorder or violence, or breach of law of glorifies violence or obscenity in any way;

(iv) presents criminality as desirable.

(v) adversely affects friendly relations with foreign States;

(vi) exploits the national emblem, or any part of the Constitution or the person or personality of a national leader or State Dignitary;

(vii) relates to or promotes cigarettes and tobacco products, liquor, wines and other intoxicants;

(viii) in its depiction of women violates the constitutional guarantees to all citizens such as equality of status and opportunity and dignity of the individual. In particular, no advertisement shall be permitted which projects a derogatory image of women. Women must not be portrayed in a manner that emphasises passive, submissive qualities and encourages them to play a subordinate, secondary role in the family and society. the portrayal of men and women should not encourage mutual disrespect. Advertiser shall ensure that the portrayal of the female form is tasteful and aesthetic, and is within the well-established norms of good taste and decency.

3. No advertisement message shall in any way be presented as News.

4. No advertisement shall be permitted the objects whereof are wholly or mainly of a religious or political nature; advertisements must not be directed towards any religious or political end or have any relation to any industrial dispute.

5. The goods advertised shall not suffer from any defect or deficiency as mentioned in Consumer Protection Act, 1986.

6. No advertisement, which endangers the safety of children or

creates in them any interest in unhealthy practices or shows them begging or in an undignified or indecent manner shall be accepted.

7. No advertisement shall contain references which are likely to lead the public to infer that the product advertised or any of its ingredients has some special or miraculous or super-natural property or quality, which is difficult or being proved, *e.g.* cure for baldness, skin whitener, etc.

8. The picture and the audible matter of the advertisement shall not be excessively 'loud'.

9. No advertisement shall be accepted which violates AIR and TV Broadcast Code, which is reproduced below:

   (i) criticism of friendly countries;

   (ii) attack on religions or communities;

   (iii) anything obscence or defamatory;

   (iv) incitement to violence or anything against maintenance of law and order;

   (v) anything amounting to contempt of court;

   (vi) aspersions against the integrity of the President and Judiciary;

   (vii) anything affecting the integrity of the Nation; and

   (viii) criticism by name of any person.

10. Indecent, vulgar, suggestive, repulsive or offensive themes or treatment shall be avoided in all advertisements.

Statement-II

Salient features of norms of journalistic conduct

Advertisements:

(1) Commercial advertisements are information as much as social, economic or political information. When more, advertisements

shape attitude and ways of life at least as much, as other kinds of information, comment, journalistic propriety demands that avertisements must be clearly distinguishable from edited matters carried in the newspaper.

(2) Newspaper shall not publish anything which has a tendency to malign wholesale or hurt the religious sentiments of any community or section of society.

(3) Advertisements which offend the provisions of the Drugs and Magical Remedies (Objectionable Advertisement) Act, 1954, should be rejected.

(4) Newspapers should not publish an advertisement containing anything which is unlawful or illegal, or contrary to good taste or to journalistic ethics or proprieties.

(5) Newspapers while publishing advertisements, shall specify the amount received by them. The rationable behind this is that advertisements should be charged at rates usually chargeable by a newspaper since payment or more than the normal rates would amount to a subsidy to the paper.

(6) Publication of dummy advertisements that neither been paid for, nor authorized by the advertiser to constitute breach of journalistic ethics.

(7) Deliberate failure to publish an advertisement in all the copies of a newspaper offends against the standard of journalistic ethics and constitutes gross professional misconduct.

(8) Newspapers/journalist shall not publish anything which is obscene, vulgar or offensive to public good taste.

(9) Newspapers shall not display advertisements which are vulgar or which through depiction of a woman in nude or lewd posture, provoke lecherous attention of males as if she herself was a commercial commodity for sale.